

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS, LLC d/b/a BRAZOS
LICENSING AND DEVELOPMENT,

Plaintiff,

v.

DELL TECHNOLOGIES INC., DELL INC.,
AND EMC CORPORATION,

Defendants.

Case No. 6:20-cv-00474-ADA

**DECLARATION OF BRIAN A. ROSENTHAL IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

I, Brian A. Rosenthal, declare as follows:

1. I am an attorney permitted to practice law before this Court *pro hac vice* and am licensed to practice law in New York and the District of Columbia. I am a partner with the law firm of Gibson, Dunn & Crutcher LLP and counsel of record for Defendants Dell Technologies Inc., Dell Inc. and EMC Corporation in the above-captioned action. I have personal knowledge and/or am directly informed of the matters stated below and, if called, would testify to them under oath.

2. Attached here as **Exhibit A** is a true and correct copy the Dell PowerConnect 5500 Series System User Guide.

3. Attached here as **Exhibit B** is a true and correct copy of the Dictionary of Networking, copyright 2000.

4. Attached here as **Exhibit C** is a true and correct copy of IEEE Std. 802.1Q-1998.

5. Attached here as **Exhibit D** is a true and correct copy of IEEE Std. 802.1D-1998.

6. I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 5, 2020

/s/ Brian A. Rosenthal
Brian A. Rosenthal